

To: Cara Pavlicek, Village Manager, Village of Oak Park

From: John Lynch, Executive Director, OPEDC 

Subject: Recommended Amendments to Zoning Ordinance Section 8-3(A)
("Use Restrictions – DT Districts")

Date: August 26, 2020

Downtown Oak Park has experienced a dramatic evolution over the past five-plus years. The addition of over 1,200 residential units has changed the greater downtown from a retail and service destination to an urban neighborhood. And while downtown's new residents are drawn to the walkable convenience of retail and dining options, a number of stakeholders have expressed concern to us about rising vacancies downtown. Members of the OPEDC Board of Directors, as well as others outside that Board, have suggested that certain downtown zoning restrictions may not be reflective of changes to the market for retail real estate, and may therefore present obstacles to maintaining traditional occupancy levels on our commercial streets.

In the greater downtown area - defined as Downtown Oak Park (DT-1), Hemingway District (DT-2), and Pleasant District (DT-3) - there is approximately 650,000 square feet (sf) of ground-level space, of which 14% is currently vacant. This is up from 3.5% in 2018. Some of this vacancy is the result of newly delivered space that has yet to be absorbed; between 2018 and 2020, 75,000 sf of new commercial space was delivered, and 17,000 sf (23%) remains unoccupied. Yet some is also likely reflective of a shift in retail toward e-commerce, and the restriction of many fitness and medical uses that have seen increased their space needs in recent years (notwithstanding recent COVID-related slowdowns).

Oak Park's current zoning code requires the front 50' of ground-level space to be maintained for retail use in the DT-1 and DT-2 districts, and the code clearly outlines what constitutes allowable retail use in those areas. In comparison with a handful of comparable municipalities (Elmhurst, La Grange, Naperville, Evanston, and Forest Park), we found that Oak Park is among the more restrictive in terms of permitted ground-floor uses in the core downtown area. Elmhurst and Forest Park are the most open to non-retail uses and allow office, medical, and business/financial services on the first floor. LaGrange, Naperville, and Evanston are slightly more restrictive than Elmhurst and Forest Park, but allow for more flexibility than Oak Park does for some non-retail uses.

On August 18, the Board of Directors of OPEDC voted to recommend to the Village Board of Trustees that additional "service-retail" uses be permitted in the Downtown (DT) zoning districts. We believe that these uses align with the intent of the downtown zoning district by

promoting vibrancy and pedestrian-friendliness that is appropriate for a vibrant mixed-use commercial district.

OPEDC's Board specifically recommends maintaining the 50' retail-only restriction as it exists, but including the following uses as exceptions and permitted uses in the DT districts:

- Art and Fitness Studio
- Health Club
- Recreation, Indoor
- Business Service Center

OPEDC staff recognizes that some of these uses may present unique parking requirements, and we defer to Village staff on how to best assure that parking requirements can be met for any newly permitted uses.

If you have any questions regarding these recommendations, please do not hesitate to contact me.

Downtown Zoning Ordinance Comparison

August-20

Note: This document is intended to provide a general summary of zoning in comparable and neighboring communities. It is OPEDC's interpretation and may not be comprehensive in its scope.

	Oak Park	Evanston	Naperville	Elmhurst	LaGrange	Forest Park
<i>Districts</i>	DT-1, DT-2, DT-3	Downtown Retail Core (D2) Downtown Core Development (D3)	Downtown Core District (B4)	Central Business Core (CBC)	Central Commercial District (C-1)	Downtown Business District (DBD)
<i>Zoning Description</i>	" DT-1: Emphasizing an active, lively mixed-use environment with retail and entertainment located on the ground floor along the street, and a variety of uses above, including residential; DT-2: characterized by an environment that is pedestrian-friendly, mid-rise in scale, and mixed-use in nature, providing a wide range of retail and service uses; DT-3: intended to accommodate the pedestrian-friendly, lower-intensity mix of small floor plate retail, personal service, and entertainment uses that support the vitality of the Downtown Central."	"Downtown retail core district is intended to define and support the traditional downtown retail shopping function of Evanston."	"Intent of this district is to accommodate the retail, service, and office uses which are characteristic of the major retail area of the City. This central core is intended to contain intensive retail business activities."	"Intended to accommodate all those retail, service and specialty shops and necessary civic services that are characteristic of the central retail area."	"Intended to provide for the development and maintenance of a concentrated, pedestrian-oriented commercial shopping center, with special provisions protecting, in the core of that district, the retail environment at street level."	"Established to promote a pedestrian friendly service and retail shopping experience, to minimize negative secondary effects in surrounding residential neighborhoods, and to serve as an area destination for its restaurants and specialized shops."
<i>Permitted and/or Special/Conditional Uses Beyond Traditional Retail</i>	Personal service; live performance venue; design studio with retail; specialty food with restaurant component; work lounge; temp. uses/pop-up.	Financial; office; indoor recreation; retail service; brew pub.	Financial; barbershop; beauty salon; dry cleaning; shoe repair; tailor shop; photography studio.	General office and service use; medical and veterinary; fitness; bank and financial institution.	Repair shop; barber and salon; dry cleaner.	Office; medical clinics; financial services; business services.
<i>Excluded/Restricted Ground Floor Uses</i>	All uses not classified as "retail" or permitted as a special exception.	Drive-thru; alcohol production; cannabis dispensary; performance venue; banquet hall; convenience store.	Health club; live performance; indoor/outdoor recreation; reception/banquet hall.	Drive-thru; microbrewery/distillery/winery; massage service; non-alcoholic drinking establishment/venue; tavern and cocktail lounge.	Animal care; financial/bank; office.	None of note.
<i>Additional Retail Requirements</i>	Only uses that are listed as permitted or special within the "retail" category are allowed within the first 50 feet of the street lot line at grade level or on the ground floor of any building.	All buildings and structures within the D2 district shall devote a minimum of 75% of the sidewalk grade level exterior to retail trade activity.	General Service (Office, medical, fitness) are restricted from locating on first floor.	Some uses have special conditions.	Most non-retail uses are not permitted to locate on ground level if visible from public street.	Some uses have special conditions.

Downtown Zoning Districts - Permitted Uses on Ground Level

August-20

	Oak Park	Evanston	Naperville	Elmhurst	LaGrange	Forest Park
Retail						
Antique Shop	P	S	P	P	P	P
Art Gallery	P	P	P	P	P	P
Auction House	S	P	-	P	-	-
Brewpub	P	P	-	P	P	S
Consignment Shop	P	P	-	P	P	X
Craft Brew Lounge	S	-	-	-	-	-
Design Studio with Retail	P	P	P	P	P	P
Gas Station	X	X	X	X	X	X
Greenhouse/Nursery	X	S	-	-	P*	X
Heavy Retail and Rental	X	X	-	-	X	X
Outdoor Dining	P	P	P	P	P	-
Restaurant	P	P	P	P	P	P
Retail Goods Establishment	P	P	P	P	P	P
Secondhand Goods Dealer	X	X	-	P	P	X
Specialty Food Service	S	P	P	P	P	P
Vehicle Dealership - Fully Enclosed	P	X	X	P*	X	X
Vehicle Dealership - With Outdoor	X	X	X	P*	X	X
Service						
Animal Care Facility	S	P	X	P	X	C
Art and Fitness Studio	P*	S	X	P	P^	P*
Bed and Breakfast	X	-	X	X	-	C
Body Modification Establishment	P*	X	P	-	-	P^
Business Services Center	S	P	P	P	P	P*
Car Wash	X	X	X	?	X	X
Contractor Shop	X	X	X	?	X	X
Day Care Center	X	S	X	X	X	X
Day Care Home	X	P*	X	X	X	X
Funeral Home	X	P	X	P	-	S
Hotel/Motel	S	P	X	X	-	S
Massage Services Establishment	S	-	X	X	P''	X
Personal Services Establishment	P	P	P	P	P''	P^
Reception/Banquet Facility	S	S	X	P	-	C
Self-Storage Facility	X	X	X	-	X	X
Vehicle Rental	X	X	X	-	X	C
Vehicle Repair - Minor	X	X	X	C	X	C
Vehicle Repair - Major	X	X	X	C	X	C
Recreational						
Health Club	S	P*	X	P	S	P*
Live Performance Venue	P	S	X	P	S	C
Social Lodge/Meeting Hall	X	S	X	P	S	C
Recreation, Indoor	P*	P*	X	P	S	P*
Recreation, Outdoor	X	X	X	C	S	X
Office						
Financial Institution	P*	P	P	P	X	P
Office	P*	P	P*	P	X	P
Industrial Design	P*	P	-	P	S	P
Research and Development	X	P	-	P	S	P
Work Lounge	P	-	-	-	-	-
Medical						
Hospital	X	X	X	C	X	X
Medical Marijuana Dispensary	P	S	X	-	X	P
Medical/Dental Clinic	P*	P	P*	P	S	P
Physical Therapy Clinic	X	P	P*	P	S	P
Industrial						
Industrial	X	X	X	X	X	X
Transportation						
Transportation	X	X	X	X	X	X

Oak Park: *Permitted 50 ft back from street frontage.

Evanston: *When located above ground floor.

Naperville: *Permits uses if they are "dealing directly with customers"

Elmhurst: *Permits vehicle display only - not sale.

LaGrange: *Permitted when indoors.

LaGrange: ^Fitness clubs may not exceed 3,500 sf and 30 ft frontage on ground level.

LaGrange: "Permitted as an accessory to beauty, salon, fitness.

Forest Park: *Not greater than 2,500 sf.

Forest Park: ^Proximity restriction of 500 ft.

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